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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSEPH SMITH,

Defendant.

**DEFENDANT'S REQUEST FOR
NOTICE OF EXPERT TESTIMONY**

Case No. 2:09CR-243 TS

Defendant, Joseph Smith, by and through counsel of record, Benjamin A. Hamilton,
hereby requests that he be provided with the following information regarding any expert
testimony that the government intends to elicit from its witnesses:

- a. Adequate and fair notice of such testimony;
- b. A copy of any report outlining the proposed testimony or other written explanation of the expert's proposed testimony including opinions and the facts or data upon which the opinions are based;
- c. Contact information concerning any expert; and
- d. A copy of any resume or curriculum vitae of the expert witness sufficient to give notice of the witness' qualifications for the Court to conclude whether he or she is an expert concerning the proffered testimony.

- e. While the defendant requests notice as to all experts the government intends to call, the defendant specifically requests notice of any expert the government intends to call to establish the value of the alleged artifacts as element of the offenses charged.

See United States v. Muldrow, 19 F.3d 1332 (10th Cir. 1994), concerning expert testimony based on specialized knowledge under F.R.E. 702.

DATED this 29th of April, 2010.

/s/ Benjamin A. Hamilton
BENJAMIN A. HAMILTON
Assistant Utah Federal Defender

CERTIFICATE OF DELIVERY

I hereby certify that a true and correct copy of the foregoing **DEFENDANT'S REQUEST FOR NOTICE OF EXPERT TESTIMONY** was filed electronically and caused to be served by electronic notice to all parties listed below on this 29th of April, 2010.

Richard McKelvie
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/ s / Sheri Hansen
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